

Proposed Language for Alternate Standards

These revisions do the following:

- a) Requires the title and edition of any alternate standard used under this new provision to be identified in the building plan.
- b) Creates a new section SPS 361.51 (8) allowing a more recent version of a standard adopted under SPS 361.05 to be used by an owner or supervising professional in lieu of the currently adopted standard.
- c) Exempts requests to use an alternate standard under this process from the application, fee and approval process for alternate standards and from petitions for variance requirements.
- d) Clarifies that nothing in this subsection allows a municipality, county, or the department to compel an owner or designer to use a more recent edition of a standard and that the subsection does not authorize a municipality or county to adopt a more recent edition of a standard in SPS 361.05.

Proposed language:

SECTION 1. SPS 361.31(2)(e)3 is created to read:

SPS 361.31(2)(e) 3. The title and edition of an alternate standard used in the plan as allowed under s. SPS 361.51 (8).

SECTION 2. SPS 361.51 (1) is amended to read:

SPS 361.51 (1) Alternate standards that are equivalent to or more stringent than the standards referenced in ~~this code~~ chs. SPS 361 to 366 may be used in lieu of the referenced standards when approved by the department ~~or~~ , if written approval is issued by the department in accordance with sub. (2), or as allowed under sub. (8).

SECTION 3. SPS 361.51 (2)(a) ~~Upon receipt of a fee and a written request~~ Except as provided in sub. (8), the department may issue an approval for the use of the alternate standard upon receipt of a fee and a written request.

SECTION 4. SPS 361.51 (8) is created to read:

SPS 361.51(8)(a) A more recent edition of a standard adopted in SPS 361.05 may be used by an owner or supervising professional in lieu of the referenced standard if all of the following apply:

1. The title and edition of the alternate standard is identified in plan documents as required under s. SPS 361.31(2)(e)3.

2. The standard is used in its entirety, including secondary standards referenced in the more recent edition.

(b) An alternate standard submitted for plan review under this subsection is exempt from fee and approval requirements under subs. (2) to (7) and petition for variance requirements under s. SPS 361.22.

(c) Nothing in this subsection shall be interpreted to allow a municipality, county, or the department to require or compel an owner or supervising professional to use a more recent edition of an adopted standard, nor shall this subsection be interpreted to authorize a municipality or county to adopt a more recent standard than a standard adopted under s. SPS 361.05.